

TULLYTOWN BOROUGH COUNCIL MEETING

January 2, 2024

President Servis called the meeting of the Tullytown Borough Council to order on Tuesday, January 2, 2024 at 7:45 p.m. followed by the Pledge of Allegiance.

Present at the meeting:

Mayor Cutchineal
Councilman Pirolli
Councilman Pearl
Councilman Saunders
Councilman Czyzyk
Councilwoman Gahagan
Councilman Shellenberger
Councilman Servis

Also present:

Russ Sacco, Solicitor
Acting Chief Aldsworth
Patricia Marks, Borough Secretary

PUBLIC COMMENT

Mike Sidoti, Stonybrook, Tax Collector. I know you want to appoint a special tax collector again. Are you aware why it was removed the last time? The last time this tax collector, who was a special tax collector, was in place there were no records ever kept. The Borough never knew who sent the money in and what it was sent in for. You couldn't ask that person what day the check came in and who paid what. They were cashing checks that belonged to the other tax collector and they were being paid for taxes they were not even supposed to be collecting. The town is too small to have two different tax collectors sending multiple forms to these businesses. There is more money coming in now because I have simplified the tax process for these vendors. All of the tax bills for this year have gone out. Tax bills are already in the hands of the merchants. All of the checks will come in and they will be in his name. He will not endorse any checks that are not for him. You are telling him that he does not collect the LST or the Business Privilege Tax. Any checks that come in for him in those names will be put in a separate box for the special tax collector and it will be up to her to return them and send them back to have them reissued. Are you guys ok with this? She will know what forms to use and who to send them to, right? There are no forms for them to use. The forms that are being sent out today are my forms. They are the forms I created and in my possession. I will continue collecting what is mine to collect. Anything that is his he

will put through and anything that is business privilege or LST only, he will put back in the box and that person can be responsible for sending them back. You will get your money when you get your money.

Nina Chrzanowski, 6 Stonybrook Drive. She was on council when that happened, and it is a poor decision you are making. The taxes were in shambles. Mike got in and collected them and got them straightened out. The money was coming in. You guys get up there every month and complain you do not have enough money and now you are going to allow this to happen. She also asked if Mr. Pearl will continue to be Fire Marshal while he is on Council. She asked if it was a conflict of interest and Mr. Servis replied that there is no conflict.

George Fox, 25 Little Lane. Mr. Fox wanted to wish everyone in this town a happy New Year. He wanted to thank council and hopes they will bring it back to where it was at one time.

Rylie Lazeration, 1000 Easy Street, stated that she is extremely disappointed in every person up there. She is not singling any one person out. She has been a lifelong member here. She watches all the meetings and respects each person individually our special tax collector really. But special tax collector, really? For what you guys did to my family when my father was running and all the comments. Now you are putting her there without questioning anything. I hope you run a background check and see the same thing you drug out in my family.

COUNCIL MINUTES

December 6, 2023, Council Meeting

Mr. Shellenberger made a motion to approve the minutes of the December 6, 2023 Council meeting, seconded by Mr. Saunders.

Roll call vote was taken:

Mr. Pirolli—for

Mr. Pearl—for

Mr. Saunders—for

Mr. Czyzyk—for

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

All of council was in favor of the motion; the motion carried.

TREASURER'S REPORT

MONTHLY BILLS

Mr. Shellenberger made a motion to approve the bills in the amount of \$9,382.30 seconded by Mr. Czyzyk.

Roll call vote was taken:

Mr. Pirolli—for, with the exception of the invoice from Offit Kurman

Mr. Pearl—for

Mr. Saunders—for

Mr. Czyzyk—for

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

All of council was in favor of the motion; the motion carried.

OTHER EXPENSES PAID IN DECEMBER

Mr. Shellenberger made a motion to approve the other expenses for December in the amount of \$33,243.97, seconded by Mr. Saunders.

Roll call vote was taken:

Mr. Pirolli—for

Mr. Pearl—for

Mr. Saunders—for

Mr. Czyzyk—for

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

All of council was in favor of the motion; the motion carried.

RECONCILIATION STATEMENT

Mr. Czyzyk made a motion to approve the Reconciliation Statement for December 2023, seconded by Ms. Gahagan.

Roll call vote was taken:

Mr. Pirolli—for

Mr. Pearl—for

Mr. Saunders—for

Mr. Czyzyk—for

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

All of council was in favor of the motion; the motion carried.

AUTHORIZE TRANSFER OF FUNDS VIA RESOLUTION #505

Mrs. Marks advised that the transfer of \$250,000 is expected to get us through the end of February. We will have a better idea at that point what we will need for the remainder of the year. We are waiting for Keystone to get back to us on how often we will receive payments from them.

Mr. Saunders made a motion to adopt Resolution # 505, authorizing the transfer of \$250,000 from the investment firms to the General Fund, seconded by Mr. Shellenberger.

Roll call vote was taken:

Mr. Pirolli—for

Mr. Pearl—for

Mr. Saunders—for

Mr. Czyzyk—for

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

All of council was in favor of the motion; the motion carried.

COMMUNICATIONS

There were no communications this month.

GENERAL BUSINESS

a. Zoning Hearing Board Discussion—264 Lakeside Drive

Mr. Sacco explained that in Council's packet is an application for the property located at 264 Lakeside Drive. The applicant is proposing to put an addition on for a small bathroom – about 160 square feet. Because they are at the allowable impervious surface ratio now, it still requires a variance. It does look like they are enclosing an existing carport. We always present zoning hearing board applications to Council in case they have any concerns about the application. If you have none, the zoning hearing board will hear the case and make a decision.

b. One appointment to the LBCJMA/Resolution # 506—Consideration

Mr. Pearl made a motion to appoint Mary Ann Gahagan to the LBCJMA and approve Resolution #506, seconded by Mr. Czyzyk.

Roll call vote was taken:

Mr. Pirolli—against

Mr. Pearl—for

Mr. Saunders—for

Mr. Czyzyk—for

Ms. Gahagan—for
Mr. Shellenberger—against
Mr. Servis—for

The majority of council was in favor of the motion; the motion carried

c. One appointment to UCC Board of Appeals—Consideration

Mr. Shellenberger made a motion to table the appointment, pending review of the committee, seconded by Mr. Saunders.

Roll call vote was taken:

Mr. Pirolli—for
Mr. Pearl—for
Mr. Saunders—for
Mr. Czyzyk—for
Ms. Gahagan—for
Mr. Shellenberger—for
Mr. Servis—for

All of council was in favor of the motion; the motion carried

d. One appointment to Park and Recreation Committee—Consideration

Mr. Shellenberger made a motion to table the appointment, pending review of the committee, seconded by Mr. Czyzyk.

Roll call vote was taken:

Mr. Pirolli—for
Mr. Pearl—for
Mr. Saunders—for
Mr. Czyzyk—for
Ms. Gahagan—for
Mr. Shellenberger—for
Mr. Servis—for

All of council was in favor of the motion; the motion carried

e. One appointment to the Environmental Advisory Commission—Consideration

Mr. Shellenberger made a motion to table the appointment, pending review of the committee, seconded by Mr. Saunders.

Roll call vote was taken:

Mr. Pirolli—for
Mr. Pearl—for
Mr. Saunders—for
Mr. Czyzyk—for
Ms. Gahagan—for

Mr. Shellenberger—for
Mr. Servis—for
All of council was in favor of the motion; the motion carried

COMMITTEE REPORTS

Mr. Pearl, for Streets and Building, stated that due to the flooding in the shopping center, he has had conversations with the police and fire department. DLC is coming Thursday to discuss the options to correct the flooding.

Mr. Shellenberger stated that the cameras in park are a problem and he stopped over to the company that installed them to see if they can go out and take a look at them.

BOROUGH REPORTS

MAYOR'S REPORT

There was no Mayor's report.

SOLICITOR'S REPORT

Mr. Sacco advised that there was an executive session to discuss a potential litigation matter and a police personnel matter. In light of that and in light of our discussion, there is a question as to whether there would be a light duty position available and if Council would fund that light duty position, based on our discussions in executive session. If Council wants to fund it or not fund it, they would need to make a motion.

Mr. Shellenberger made the motion not to fund the light duty position, seconded by Mr. Saunders. Mr. Pirolli said the Mayor is not for this. Mr. Shellenberger stated that there was something in the contract that allows them to collect \$900 when they are out so they do not lose any money. Mr. Sacco stated that this is correct.

Mrs. Chrzanowski stated she had a question on the motion. Have we ever had officers on light duty before? We set a precedent. Why aren't we having a light duty policy? Mr. Shellenberger stated that there is a clause in the contract that pays the officer \$900 to stay home and get better. Why should we pay for the insurance policy and then his pay? It is a waste of money. The Mayor stated that they will not fund one of his actions and there is not much he can do. Mr. Sacco said he advised Council and the Mayor. There are two different positions and there is a disagreement. The Mayor stated that he did not agree with the vote.

Mr. Pirolli—against
Mr. Pearl—for
Mr. Saunders—for
Mr. Czyzyk—for
Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

The majority of council was in favor of the motion; the motion carried

COORDINATOR'S REPORT

Mrs. Marks advised that working with Mark and Sean, we submitted a grant application to the Commonwealth Financing Authority for storm drain repair. It was approved at the end of December, 2023 for \$98,000.

CHIEF'S REPORT

Mr. Shellenberger asked that we authorize the acting chief to contact the State Police to perform DOT inspections on Main Street. They have done it in the past and it is getting out of hand. Mr. Servis advised that Council should let Nate and the solicitor work on that.

Acting Chief Aldsworth thanked the public works department for their hard work. There were some homeless encampments that they had to move along. He also thanked the staff for their hard work during the holidays. Mr. Pirolli asked if he knew where the homeless went and he replied that he did not know.

FIRE MARSHAL'S REPORT

Council received a copy of the report.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Pirolli asked if there would be a background check for the new special tax collector to see if they can be bonded. Mr. Servis replied absolutely.

ADJOURNMENT

There being no further business, a motion was made by Mr. Czyzyk to adjourn the meeting, seconded by Ms. Gahagan. All of Council was in favor of the motion; the motion carried. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Patricia Marks
Borough Secretary